

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 391

Approved April 26, 1979

RESOLVED, That the City Assessor grant to Mrs. Mary Bozzi, the senior citizens tax exemption for property owned at 114 Almy Street, Providence, commencing with the assessment of July 1, 1978, and

BE IT FURTHER RESOLVED, That said taxes paid to the City of Providence, in excess of the senior citizens exemption as of July 1, 1978, be rebated to Mrs. Mary Bozzi, and

BE IT FURTHER RESOLVED, This exemption be granted upon receipt of evidence to be submitted to the Acting City Solicitor that said property is owned by Mrs. Mary Bozzi and is not subject to current pending litigation and that an opinion be submitted to the City Assessor approving same.

IN CITY COUNCIL
APR 19 1979

READ AND PASSED, *as amended*

Ralph T. Liguori PRES.
Rose M. Mendonca CLERK

APPROVED

MAYOR

Vincent A. Cianci, Jr.
APR 26 1979

IN CITY COUNCIL

APR 5 1979

FIRST READING

REMITTED TO COMMITTEE ON

FINANCE

Rose M. Mendonça
CLERK

THE COMMITTEE ON

FINANCE

Approves Passage of
The Within Resolution, as amended

Rose M. Mendonça
Chairman

April 11, 1979

APR 10 1979

RECORDED

BOYAR

APR 5 1979

Councilman Paulino (By Request)

RHODE ISLAND LEGAL SERVICES, INC.

SENIOR CITIZENS PROGRAM
77 DORRANCE STREET
PROVIDENCE, RHODE ISLAND
TELEPHONE NO. 274-2652

ALDEN C. HARRINGTON,
DIRECTOR

March 27, 1979

Councilman Joseph R. Paolino
253 Broadway
Providence, Rhode Island

RE: Mary Bozzi
114 Almy Street

Dear Councilman Paolino:

I am writing to you on behalf of a resident of your ward, Mrs. Mary Bozzi.

Mrs. Bozzi has been attempting to obtain an elderly tax exemption for her home which she has lived in for 57 years. She is 70 years old. Mrs. Bozzi had sought an exemption for the last several years but had been turned down most recently in March of 1978. When the deadline for filing for the exemption was extended to November, Mrs. Bozzi requested my help in refileing for an exemption on her 1977 tax obligation.

An application was submitted in October of 1978, but I have been unsuccessful in obtaining a satisfactory decision from the Tax Assessor's office. The facts are as follows:

When Mrs. Bozzi's mother died intestate in 1972, Mrs. Bozzi became an owner of the Almy Street property along with her sister and two brothers by operation of law. The law on this point is quite clear and the City Solicitor's office has agreed with me that Mrs. Bozzi's partial ownership vested in her in 1972. However, the estate was never probated and it was not until 1977, when Mrs. Bozzi's brothers deeded their interests to Mrs. Bozzi and her sister, that Mrs. Bozzi's name appeared on a deed showing her as an owner of the property. One of the requirements for the tax exemption is that the senior citizen has owned the property for three years, and the only proof of ownership that is apparently accepted by the City Tax Assessor is a deed. Since Mrs. Bozzi's name did not appear on a deed until 1977, the City Tax Assessor has been unwilling to agree that she meets the three year requirement.

Councilman Joseph R. Paolina

March 27, 1979

I submitted a lengthy legal memorandum with Mrs. Bozzi's October 1978 exemption application explaining the legal basis for her ownership interest and the Assessor's office informed me that they had referred the matter to the City Solicitor's office for review. There the matter has stood since late 1978.

I have spoken to the Assessor's office and the Law Department on a number of occasions but I cannot get a conclusive answer from either department. At one time I was informed that the application had been denied and that my only recourse was to the City Council. Upon further inquiry, however, I was told that the matter was still under consideration and that no decision had been made. Another time I was told that there was no appeal from the Tax Assessor's decisions and that Mrs. Bozzi would have no remedy.

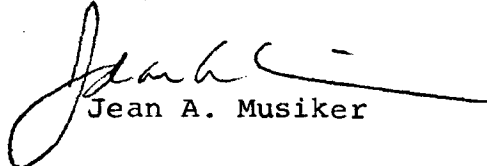
I'm sure you will agree that this matter is confusing at best. It is quite clear that the State legislature and the City Council intended to give a tax break to senior citizens on fixed incomes and to not permit Mrs. Bozzi this aid represents a grave injustice to her.

For these reasons, it is my sincere hope that you can be of some assistance to Mrs. Bozzi in this matter. I am uncertain as to the procedures to be used to move this matter along or to bring it before the City Council, if in fact it can be done.

I would greatly appreciate it if you could contact me at your earliest convenience so that we might discuss this situation and, hopefully, determine a method of remedying it. I can assure you that Mrs. Bozzi would be truly grateful for any assistance that you could offer.

Thank you for your attention to this matter and I look forward to hearing from you.

Very truly yours,



Jean A. Musiker

JAM/seq

cc: Mrs. Mary Bozzi